

**Senate Study Bill 3229 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR'S BUDGET  
BILL)

**A BILL FOR**

1 An Act relating to and making appropriations to the justice  
2 system.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. DEPARTMENT OF JUSTICE.

2 1. There is appropriated from the general fund of the state  
3 to the department of justice for the fiscal year beginning July  
4 1, 2010, and ending June 30, 2011, the following amounts, or  
5 so much thereof as is necessary, to be used for the purposes  
6 designated:

7 a. For the general office of attorney general for salaries,  
8 support, maintenance, and miscellaneous purposes, including  
9 the prosecuting attorneys training program, victim assistance  
10 grants, office of drug control policy prosecuting attorney  
11 program, and odometer fraud enforcement:

12 ..... \$ 7,732,930

13 It is the intent of the general assembly that as a condition  
14 of receiving the appropriation provided in this lettered  
15 paragraph, the department of justice shall maintain a record  
16 of the estimated time incurred representing each agency or  
17 department.

18 b. For victim assistance grants:

19 ..... \$ 3,060,000

20 The funds appropriated in this lettered paragraph shall be  
21 used to provide grants to care providers providing services to  
22 crime victims of domestic abuse or to crime victims of rape and  
23 sexual assault.

24 The department of justice may transfer moneys from the  
25 victim compensation fund established in section 915.94 to the  
26 victim assistance grant program.

27 c. For legal services for persons in poverty grants as  
28 provided in section 13.34:

29 ..... \$ 1,759,171

30 2. a. The department of justice, in submitting budget  
31 estimates for the fiscal year commencing July 1, 2011, pursuant  
32 to section 8.23, shall include a report of funding from sources  
33 other than amounts appropriated directly from the general fund  
34 of the state to the department of justice or to the office of  
35 consumer advocate. These funding sources shall include but

1 are not limited to reimbursements from other state agencies,  
2 commissions, boards, or similar entities, and reimbursements  
3 from special funds or internal accounts within the department  
4 of justice. The department of justice shall also report actual  
5 reimbursements for the fiscal year commencing July 1, 2009,  
6 and actual and expected reimbursements for the fiscal year  
7 commencing July 1, 2010.

8 b. The department of justice shall include the report  
9 required under paragraph "a", as well as information regarding  
10 any revisions occurring as a result of reimbursements actually  
11 received or expected at a later date, in a report to the  
12 co-chairpersons and ranking members of the joint appropriations  
13 subcommittee on the justice system and the legislative services  
14 agency. The department of justice shall submit the report on  
15 or before January 15, 2011.

16 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
17 from the department of commerce revolving fund established  
18 in section 546.12 to the office of consumer advocate of the  
19 department of justice for the fiscal year beginning July 1,  
20 2010, and ending June 30, 2011, the following amount, or so  
21 much thereof as is necessary, to be used for the purposes  
22 designated:

23 For salaries, support, maintenance, and miscellaneous  
24 purposes:  
25 ..... \$ 3,336,344

26 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

27 1. There is appropriated from the general fund of the state  
28 to the department of corrections for the fiscal year beginning  
29 July 1, 2010, and ending June 30, 2011, the following amounts,  
30 or so much thereof as is necessary, to be used for the purposes  
31 designated:

32 For the operation of adult correctional institutions,  
33 reimbursement of counties for certain confinement costs, and  
34 federal prison reimbursement, to be allocated as follows:

35 a. For the operation of the Fort Madison correctional

1 facility, including salaries, support, maintenance, and  
2 miscellaneous purposes:  
3 ..... \$ 41,442,374

4 As a condition of receiving an appropriation in this  
5 lettered paragraph, the department of corrections shall operate  
6 the John Bennett facility either as an institution of the  
7 department or a community-based correctional facility.

8 b. For the operation of the Anamosa correctional facility,  
9 including salaries, support, maintenance, and miscellaneous  
10 purposes:  
11 ..... \$ 30,356,461

12 c. For the operation of the Oakdale correctional facility,  
13 including salaries, support, maintenance, and miscellaneous  
14 purposes:  
15 ..... \$ 55,955,246

16 d. For the operation of the Newton correctional facility,  
17 including salaries, support, maintenance, and miscellaneous  
18 purposes:  
19 ..... \$ 26,452,257

20 e. For the operation of the Mt. Pleasant correctional  
21 facility, including salaries, support, maintenance, and  
22 miscellaneous purposes:  
23 ..... \$ 26,265,257

24 f. For the operation of the Rockwell City correctional  
25 facility, including salaries, support, maintenance, and  
26 miscellaneous purposes:  
27 ..... \$ 9,324,565

28 g. For the operation of the Clarinda correctional facility,  
29 including salaries, support, maintenance, and miscellaneous  
30 purposes:  
31 ..... \$ 23,645,033

32 Moneys received by the department of corrections as  
33 reimbursement for services provided to the Clarinda youth  
34 corporation are appropriated to the department and shall be  
35 used for the purpose of operating the Clarinda correctional

1 facility.

2 h. For the operation of the Mitchellville correctional  
3 facility, including salaries, support, maintenance, and  
4 miscellaneous purposes:

5 ..... \$ 15,486,586

6 i. For the operation of the Fort Dodge correctional  
7 facility, including salaries, support, maintenance, and  
8 miscellaneous purposes:

9 ..... \$ 29,020,235

10 j. For reimbursement of counties for temporary confinement  
11 of work release and parole violators, as provided in sections  
12 901.7, 904.908, and 906.17, and for offenders confined pursuant  
13 to section 904.513:

14 ..... \$ 775,092

15 k. For federal prison reimbursement, reimbursements for  
16 out-of-state placements, and miscellaneous contracts:

17 ..... \$ 239,411

18 2. The department of corrections shall use moneys  
19 appropriated in subsection 1 to continue to contract for the  
20 services of a Muslim imam.

21 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

22 1. There is appropriated from the general fund of the state  
23 to the department of corrections for the fiscal year beginning  
24 July 1, 2010, and ending June 30, 2011, the following amounts,  
25 or so much thereof as is necessary, to be used for the purposes  
26 designated:

27 a. For general administration, including salaries, support,  
28 maintenance, employment of an education director to administer  
29 a centralized education program for the correctional system,  
30 and miscellaneous purposes:

31 ..... \$ 4,491,968

32 (1) It is the intent of the general assembly that as a  
33 condition of receiving the appropriation provided in this  
34 lettered paragraph the department of corrections shall not,  
35 except as otherwise provided in subparagraph (3), enter

1 into a new contract, unless the contract is a renewal of an  
2 existing contract, for the expenditure of moneys in excess of  
3 \$100,000 during the fiscal year beginning July 1, 2010, for the  
4 privatization of services performed by the department using  
5 state employees as of July 1, 2010, or for the privatization  
6 of new services by the department without prior consultation  
7 with any applicable state employee organization affected  
8 by the proposed new contract and prior notification of the  
9 co-chairpersons and ranking members of the joint appropriations  
10 subcommittee on the justice system.

11 (2) It is the intent of the general assembly that each  
12 lease negotiated by the department of corrections with a  
13 private corporation for the purpose of providing private  
14 industry employment of inmates in a correctional institution  
15 shall prohibit the private corporation from utilizing inmate  
16 labor for partisan political purposes for any person seeking  
17 election to public office in this state and that a violation  
18 of this requirement shall result in a termination of the lease  
19 agreement.

20 (3) It is the intent of the general assembly that as a  
21 condition of receiving the appropriation provided in this  
22 lettered paragraph the department of corrections shall not  
23 enter into a lease or contractual agreement pursuant to section  
24 904.809 with a private corporation for the use of building  
25 space for the purpose of providing inmate employment without  
26 providing that the terms of the lease or contract establish  
27 safeguards to restrict, to the greatest extent feasible, access  
28 by inmates working for the private corporation to personal  
29 identifying information of citizens.

30 b. For educational programs for inmates at state penal  
31 institutions:

32 ..... \$ 1,558,109

33 As a condition of receiving the appropriation in this  
34 lettered paragraph, the department of corrections may transfer  
35 moneys from the canteen operating funds established pursuant

1 to section 904.310 to be used for correctional educational  
2 programs funded in this lettered paragraph.

3 It is the intent of the general assembly that moneys  
4 appropriated in this lettered paragraph shall be used solely  
5 for the purpose indicated and that the moneys shall not be  
6 transferred for any other purpose. In addition, it is the  
7 intent of the general assembly that the department shall  
8 consult with the community colleges in the areas in which the  
9 institutions are located to utilize moneys appropriated in this  
10 lettered paragraph to fund the high school completion, high  
11 school equivalency diploma, adult literacy, and adult basic  
12 education programs in a manner so as to maintain these programs  
13 at the institutions.

14 To maximize the funding for educational programs, the  
15 department shall establish guidelines and procedures to  
16 prioritize the availability of educational and vocational  
17 training for inmates based upon the goal of facilitating an  
18 inmate's successful release from the correctional institution.

19 The director of the department of corrections may transfer  
20 moneys from Iowa prison industries for use in educational  
21 programs for inmates.

22 Notwithstanding section 8.33, moneys appropriated in this  
23 lettered paragraph that remain unobligated or unexpended at  
24 the close of the fiscal year shall not revert but shall remain  
25 available for expenditure only for the purpose designated in  
26 this lettered paragraph until the close of the succeeding  
27 fiscal year.

28 c. For the development of the Iowa corrections offender  
29 network (ICON) data system:

30 ..... \$ 424,364

31 d. For offender mental health and substance abuse  
32 treatment:

33 ..... \$ 22,319

34 e. For viral hepatitis prevention and treatment:

35 ..... \$ 167,881

1     2. It is the intent of the general assembly that the  
2 department of corrections shall continue to operate the  
3 correctional farms under the control of the department at  
4 the same or greater level of participation and involvement  
5 as existed as of January 1, 2010; shall not enter into any  
6 rental agreement or contract concerning any farmland under  
7 the control of the department that is not subject to a rental  
8 agreement or contract as of January 1, 2010, without prior  
9 legislative approval; and shall further attempt to provide  
10 job opportunities at the farms for inmates. The department  
11 shall attempt to provide job opportunities at the farms for  
12 inmates by encouraging labor-intensive farming or gardening  
13 where appropriate; using inmates to grow produce and meat for  
14 institutional consumption; researching the possibility of  
15 instituting food canning and cook-and-chill operations; and  
16 exploring opportunities for organic farming and gardening,  
17 livestock ventures, horticulture, and specialized crops.

18     3. As a condition of receiving the appropriations made  
19 in this section, the department of corrections shall develop  
20 and implement offender reentry programs in Black Hawk and  
21 Polk counties to provide transitional planning and release  
22 primarily for offenders released from the Iowa correctional  
23 institution for women at Mitchellville and the Fort Dodge  
24 correctional facility. Programming shall include minority  
25 and gender-specific responsivity, employment, substance  
26 abuse treatment, mental health services, housing, and family  
27 reintegration. The department of corrections shall collaborate  
28 with the first and fifth judicial district departments of  
29 correctional services, the Iowa department of workforce  
30 development, the department of human services, community-based  
31 providers and faith-based organizations, and local law  
32 enforcement.

33     Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
34 SERVICES.

35     1. There is appropriated from the general fund of the state

1 to the department of corrections for the fiscal year beginning  
2 July 1, 2010, and ending June 30, 2011, for the treatment and  
3 supervision of probation and parole violators who have been  
4 released from the department of corrections violator program,  
5 the following amounts, or so much thereof as is necessary, to  
6 be allocated as follows:

- 7 a. For the first judicial district department of  
8 correctional services:  
9 ..... \$ 12,453,082
  - 10 b. For the second judicial district department of  
11 correctional services:  
12 ..... \$ 10,770,616
  - 13 c. For the third judicial district department of  
14 correctional services:  
15 ..... \$ 5,715,578
  - 16 d. For the fourth judicial district department of  
17 correctional services:  
18 ..... \$ 5,522,416
  - 19 e. For the fifth judicial district department of  
20 correctional services, including funding for electronic  
21 monitoring devices for use on a statewide basis:  
22 ..... \$ 18,938,081
  - 23 f. For the sixth judicial district department of  
24 correctional services:  
25 ..... \$ 13,030,356
  - 26 g. For the seventh judicial district department of  
27 correctional services:  
28 ..... \$ 6,846,560
  - 29 h. For the eighth judicial district department of  
30 correctional services:  
31 ..... \$ 6,935,622
- 32 2. Each judicial district department of correctional  
33 services, within the funding available, shall continue programs  
34 and plans established within that district to provide for  
35 intensive supervision, sex offender treatment, diversion of

1 low-risk offenders to the least restrictive sanction available,  
2 job development, and expanded use of intermediate criminal  
3 sanctions.

4 3. Each judicial district department of correctional  
5 services shall provide alternatives to prison consistent with  
6 chapter 901B. The alternatives to prison shall ensure public  
7 safety while providing maximum rehabilitation to the offender.  
8 A judicial district department of correctional services may  
9 also establish a day program.

10 4. The governor's office of drug control policy shall  
11 consider federal grants made to the department of corrections  
12 for the benefit of each of the eight judicial district  
13 departments of correctional services as local government  
14 grants, as defined pursuant to federal regulations.

15 5. The department of corrections shall continue to contract  
16 with a judicial district department of correctional services to  
17 provide for the rental of electronic monitoring equipment which  
18 shall be available statewide.

19 6. A judicial district department of correctional services  
20 shall accept into the facilities of the district department,  
21 offenders assigned from other judicial district departments of  
22 correctional services.

23 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
24 APPROPRIATIONS. Notwithstanding section 8.39, within  
25 the moneys appropriated in this Act to the department of  
26 corrections, the department may reallocate the moneys  
27 appropriated and allocated as necessary to best fulfill the  
28 needs of the correctional institutions, administration of  
29 the department, and the judicial district departments of  
30 correctional services. However, in addition to complying with  
31 the requirements of sections 904.116 and 905.8 and providing  
32 notice to the legislative services agency, the department  
33 of corrections shall also provide notice to the department  
34 of management, prior to the effective date of the revision  
35 or reallocation of an appropriation made pursuant to this

1 section. The department shall not reallocate an appropriation  
2 or allocation for the purpose of eliminating any program.

3 Sec. 7. INTENT — REPORTS.

4 1. The department in cooperation with townships, the Iowa  
5 cemetery associations, and other nonprofit or governmental  
6 entities may use inmate labor during the fiscal year beginning  
7 July 1, 2010, to restore or preserve rural cemeteries and  
8 historical landmarks. The department in cooperation with the  
9 counties may also use inmate labor to clean up roads, major  
10 water sources, and other water sources around the state.

11 2. Each month the department shall provide a status report  
12 regarding private-sector employment to the legislative services  
13 agency beginning on July 1, 2010. The report shall include  
14 the number of offenders employed in the private sector, the  
15 combined number of hours worked by the offenders, and the  
16 total amount of allowances, and the distribution of allowances  
17 pursuant to section 904.702, including any moneys deposited in  
18 the general fund of the state.

19 Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
20 corrections shall submit a report on electronic monitoring to  
21 the general assembly, to the co-chairpersons and the ranking  
22 members of the joint appropriations subcommittee on the justice  
23 system, and to the legislative services agency by January  
24 15, 2011. The report shall specifically address the number  
25 of persons being electronically monitored and break down the  
26 number of persons being electronically monitored by offense  
27 committed. The report shall also include a comparison of any  
28 data from the prior fiscal year with the current year.

29 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

30 1. As used in this section, unless the context otherwise  
31 requires, "state agency" means the government of the state  
32 of Iowa, including but not limited to all executive branch  
33 departments, agencies, boards, bureaus, and commissions, the  
34 judicial branch, the general assembly and all legislative  
35 agencies, institutions within the purview of the state board of

1 regents, and any corporation whose primary function is to act  
2 as an instrumentality of the state.

3 2. State agencies are hereby encouraged to purchase  
4 products from Iowa state industries, as defined in section  
5 904.802, when purchases are required and the products are  
6 available from Iowa state industries. State agencies shall  
7 obtain bids from Iowa state industries for purchases of  
8 office furniture during the fiscal year beginning July 1,  
9 2010, exceeding \$5,000 or in accordance with applicable  
10 administrative rules related to purchases for the agency.

11 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from  
12 the general fund of the state to the office of the state public  
13 defender of the department of inspections and appeals for the  
14 fiscal year beginning July 1, 2010, and ending June 30, 2011,  
15 the following amounts, or so much thereof as is necessary, to  
16 be allocated as follows for the purposes designated:

17 1. For salaries, support, maintenance, and miscellaneous  
18 purposes:  
19 ..... \$ 21,743,182

20 2. For the fees of court-appointed attorneys for indigent  
21 adults and juveniles, in accordance with section 232.141 and  
22 chapter 815:  
23 ..... \$ 19,433,929

24 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

25 1. There is appropriated from the general fund of the  
26 state to the Iowa law enforcement academy for the fiscal year  
27 beginning July 1, 2010, and ending June 30, 2011, the following  
28 amount, or so much thereof as is necessary, to be used for the  
29 purposes designated:

30 For salaries, support, maintenance, and miscellaneous  
31 purposes, including jailer training and technical assistance:  
32 ..... \$ 1,049,430

33 It is the intent of the general assembly that the Iowa law  
34 enforcement academy may provide training of state and local  
35 law enforcement personnel concerning the recognition of and

1 response to persons with Alzheimer's disease.

2 The Iowa law enforcement academy may temporarily exceed and  
3 draw more than the amount appropriated and incur a negative  
4 cash balance as long as there are receivables equal to or  
5 greater than the negative balance and the amount appropriated  
6 in this subsection is not exceeded at the close of the fiscal  
7 year.

8 2. The Iowa law enforcement academy may select at least  
9 five automobiles of the department of public safety, division  
10 of state patrol, prior to turning over the automobiles to  
11 the department of administrative services to be disposed  
12 of by public auction, and the Iowa law enforcement academy  
13 may exchange any automobile owned by the academy for each  
14 automobile selected if the selected automobile is used in  
15 training law enforcement officers at the academy. However, any  
16 automobile exchanged by the academy shall be substituted for  
17 the selected vehicle of the department of public safety and  
18 sold by public auction with the receipts being deposited in the  
19 depreciation fund to the credit of the department of public  
20 safety, division of state patrol.

21 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
22 general fund of the state to the board of parole for the fiscal  
23 year beginning July 1, 2010, and ending June 30, 2011, the  
24 following amount, or so much thereof as is necessary, to be  
25 used for the purposes designated:

26 For salaries, support, maintenance, and miscellaneous  
27 purposes:  
28 ..... \$ 1,045,259

29 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
30 appropriated from the general fund of the state to the  
31 department of public defense for the fiscal year beginning July  
32 1, 2010, and ending June 30, 2011, the following amounts, or  
33 so much thereof as is necessary, to be used for the purposes  
34 designated:

35 1. MILITARY DIVISION

1 For salaries, support, maintenance, and miscellaneous  
2 purposes:

3 ..... \$ 6,249,201

4 The military division may temporarily exceed and draw more  
5 than the amount appropriated and incur a negative cash balance  
6 as long as there are receivables of federal funds equal to or  
7 greater than the negative balance and the amount appropriated  
8 in this subsection is not exceeded at the close of the fiscal  
9 year.

10 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

11 For salaries, support, maintenance, and miscellaneous  
12 purposes:

13 ..... \$ 2,038,119

14 The homeland security and emergency management division may  
15 temporarily exceed and draw more than the amount appropriated  
16 and incur a negative cash balance as long as there are  
17 receivables of federal funds equal to or greater than the  
18 negative balance and the amount appropriated in this subsection  
19 is not exceeded at the close of the fiscal year.

20 It is the intent of the general assembly that the homeland  
21 security and emergency management division work in conjunction  
22 with the department of public safety, to the extent possible,  
23 when gathering and analyzing information related to potential  
24 domestic or foreign security threats, and when monitoring such  
25 threats.

26 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
27 from the general fund of the state to the department of public  
28 safety for the fiscal year beginning July 1, 2010, and ending  
29 June 30, 2011, the following amounts, or so much thereof as is  
30 necessary, to be used for the purposes designated:

31 1. For the department's administrative functions, including  
32 the criminal justice information system:

33 ..... \$ 4,134,461

34 2. For the division of criminal investigation, including  
35 the state's contribution to the peace officers' retirement,

1 accident, and disability system provided in chapter 97A in the  
2 amount of the state's normal contribution rate, as defined  
3 in section 97A.8, multiplied by the salaries for which the  
4 funds are appropriated, and to meet federal fund matching  
5 requirements:

6 ..... \$ 12,861,710

7 The department of public safety, with the approval of the  
8 department of management, may employ no more than two special  
9 agents and four gaming enforcement officers for each additional  
10 riverboat or gambling structure regulated after July 1, 2010,  
11 and one special agent for each racing facility which becomes  
12 operational during the fiscal year which begins July 1, 2010.  
13 One additional gaming enforcement officer, up to a total of  
14 four per riverboat or gambling structure, may be employed  
15 for each riverboat or gambling structure that has extended  
16 operations to 24 hours and has not previously operated with a  
17 24-hour schedule. Positions authorized in this paragraph are  
18 in addition to the full-time equivalent positions otherwise  
19 authorized in this subsection.

20 3. For the criminalistics laboratory fund created in  
21 section 691.9:

22 ..... \$ 302,345

23 4. a. For the division of narcotics enforcement, including  
24 the state's contribution to the peace officers' retirement,  
25 accident, and disability system provided in chapter 97A in the  
26 amount of the state's normal contribution rate, as defined  
27 in section 97A.8, multiplied by the salaries for which the  
28 funds are appropriated, and to meet federal fund matching  
29 requirements:

30 ..... \$ 6,507,048

31 b. For the division of narcotics enforcement for undercover  
32 purchases:

33 ..... \$ 109,042

34 5. For the division of state fire marshal, for fire  
35 protection services as provided through the state fire service

1 and emergency response council as created in the department,  
2 and for the state's contribution to the peace officers'  
3 retirement, accident, and disability system provided in chapter  
4 97A in the amount of the state's normal contribution rate, as  
5 defined in section 97A.8, and multiplied by the salaries for  
6 which the funds are appropriated:

7 ..... \$ 4,343,896

8 6. For the division of state patrol, for salaries, support,  
9 maintenance, workers' compensation costs, and miscellaneous  
10 purposes, including the state's contribution to the peace  
11 officers' retirement, accident, and disability system provided  
12 in chapter 97A in the amount of the state's normal contribution  
13 rate, as defined in section 97A.8, and multiplied by the  
14 salaries for which the funds are appropriated:

15 ..... \$ 48,984,147

16 It is the intent of the general assembly that members of the  
17 state patrol be assigned to patrol the highways and roads in  
18 lieu of assignments for inspecting school buses for the school  
19 districts.

20 7. For deposit in the sick leave benefits fund established  
21 under section 80.42 for all departmental employees eligible to  
22 receive benefits for accrued sick leave under the collective  
23 bargaining agreement:

24 ..... \$ 279,517

25 8. For costs associated with the training and equipment  
26 needs of volunteer fire fighters:

27 ..... \$ 612,255

28 Notwithstanding section 8.33, moneys appropriated in this  
29 subsection that remain unencumbered or unobligated at the  
30 close of the fiscal year shall not revert but shall remain  
31 available for expenditure only for the purpose designated in  
32 this subsection until the close of the succeeding fiscal year.

33 Notwithstanding section 8.39, within the moneys appropriated  
34 in this section the department of public safety may reallocate  
35 moneys as necessary to best fulfill the needs provided for

1 in the appropriation. However, the department shall not  
2 reallocate an appropriation made to the department in this  
3 section unless notice of the reallocation is given to the  
4 legislative services agency and the department of management  
5 prior to the effective date of the reallocation. The notice  
6 shall include information about the rationale for reallocating  
7 the appropriation. The department shall not reallocate  
8 an appropriation made in this section for the purpose of  
9 eliminating any program.

10 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated  
11 from the general fund of the state to the Iowa state civil  
12 rights commission for the fiscal year beginning July 1,  
13 2010, and ending June 30, 2011, the following amount, or so  
14 much thereof as is necessary, to be used for the purposes  
15 designated:

16 For salaries, support, maintenance, and miscellaneous  
17 purposes:

18 ..... \$ 1,379,861

19 The Iowa state civil rights commission may enter into  
20 a contract with a nonprofit organization to provide legal  
21 assistance to resolve civil rights complaints.

22 Sec. 16. IOWA COMMUNICATIONS NETWORK. It is the intent  
23 of the general assembly that the executive branch agencies  
24 receiving an appropriation in this Act utilize the Iowa  
25 communications network or other electronic communications  
26 in lieu of traveling for the fiscal year addressed by the  
27 appropriations.

28 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
29 DIVISION. There is appropriated from the wireless E911  
30 emergency communications fund created in section 34A.7A to the  
31 administrator of the homeland security and emergency management  
32 division of the department of public defense for the fiscal  
33 year beginning July 1, 2010, and ending June 30, 2011, an  
34 amount not exceeding \$200,000 to be used for implementation,  
35 support, and maintenance of the functions of the administrator

1 and program manager under chapter 34A and to employ the auditor  
2 of the state to perform an annual audit of the wireless E911  
3 emergency communications fund.

4 Sec. 18. Section 80B.11B, subsection 2, Code 2009, is  
5 amended to read as follows:

6 2. The Iowa law enforcement academy may also charge the  
7 department of natural resources or other agency or department  
8 of the state, a member of a police force of a city or county, or  
9 any political subdivision of the state not more than one-half  
10 of the cost of providing the basic training course which is  
11 designed to meet the minimum basic training requirements for  
12 a law enforcement officer, unless a majority of the Iowa  
13 law enforcement academy council authorizes charging more  
14 than one-half of the cost of providing basic training. All  
15 other candidates to the law enforcement academy, including a  
16 candidate from a tribal government, shall pay the full costs of  
17 providing the basic training requirements for a law enforcement  
18 officer.

19 Sec. 19. Section 99D.14, subsection 2, Code 2009, is amended  
20 to read as follows:

21 2. a. A licensee shall pay a regulatory fee to be charged  
22 as provided in this section. In determining the regulatory fee  
23 to be charged as provided under this section, the commission  
24 shall use the amount appropriated to the commission plus the  
25 cost of salaries for no more than two special agents for each  
26 racetrack that has not been issued a table games license under  
27 chapter 99F or no more than three special agents for each  
28 racetrack that has been issued a table games license under  
29 chapter 99F, plus any direct and indirect support costs for the  
30 agents, for the division of criminal investigation's racetrack  
31 activities, as the basis for determining the amount of revenue  
32 to be raised from the regulatory fee.

33 b. Notwithstanding sections 8.60 and 99D.17, the portion of  
34 the fee paid pursuant to paragraph "a" relating to the costs  
35 of special agents plus any direct and indirect support costs

1 for the agents, for the division of criminal investigation's  
2 racetrack activities, shall not be deposited in the general  
3 fund of the state but instead are appropriated to supplement  
4 appropriations made to the department of public safety to  
5 be used for such activities by the division of criminal  
6 investigation.

7 Sec. 20. Section 99F.10, subsection 4, Code 2009, is amended  
8 to read as follows:

9 4. a. In determining the license fees and state regulatory  
10 fees to be charged as provided under section 99F.4 and this  
11 section, the commission shall use as the basis for determining  
12 the amount of revenue to be raised from the license fees and  
13 regulatory fees the amount appropriated to the commission  
14 plus the cost of salaries for no more than two special agents  
15 for each excursion gambling boat or gambling structure and no  
16 more than four gaming enforcement officers for each excursion  
17 gambling boat or gambling structure with a patron capacity of  
18 less than two thousand persons or no more than five gaming  
19 enforcement officers for each excursion gambling boat or  
20 gambling structure with a patron capacity of at least two  
21 thousand persons, plus any direct and indirect support costs  
22 for the agents and officers, for the division of criminal  
23 investigation's excursion gambling boat or gambling structure  
24 activities.

25 b. Notwithstanding sections 8.60 and 99F.4, the portion of  
26 the fee paid pursuant to paragraph "a" relating to the costs  
27 of special agents and officers plus any direct and indirect  
28 support costs for the agents and officers, for the division of  
29 criminal investigation's excursion gambling boat or gambling  
30 structure activities, shall not be deposited in the general  
31 fund of the state but instead are appropriated to supplement  
32 appropriations made to the department of public safety to  
33 be used for such activities by the division of criminal  
34 investigation.

35 Sec. 21. Section 904A.4B, Code 2009, is amended to read as

1 follows:

2 **904A.4B Executive director of the board of parole — duties.**

3 1. The chief administrative officer of the board of  
4 parole shall be the executive director, except as provided in  
5 subsection 2. The executive director shall be appointed by the  
6 chairperson, subject to the approval of the board and shall  
7 serve at the pleasure of the board. The executive director  
8 shall do all of the following:

- 9 ~~1.~~ a. Advise the board on matters relating to parole,  
10 work release, and executive clemency, and advise the board on  
11 matters involving automation and word processing.
- 12 ~~2.~~ b. Carry out all directives of the board.
- 13 ~~3.~~ c. Hire and supervise all of the board's staff pursuant  
14 to the provisions of chapter 8A, subchapter IV.
- 15 ~~4.~~ d. Act as the board's liaison with the general assembly.
- 16 ~~5.~~ e. Prepare a budget for the board, subject to the  
17 approval of the board, and prepare all other reports required  
18 by law.

19 ~~6.~~ f. Develop long-range parole and work release planning,  
20 in cooperation with the department of corrections.

21 2. If an executive director is not appointed as provided in  
22 subsection 1, the chairperson shall serve as acting executive  
23 director and perform the administrative duties under subsection  
24 1.

25 EXPLANATION

26 This bill makes appropriations from the general fund of the  
27 state for fiscal year 2010-2011 to the departments of justice,  
28 corrections, public defense, and public safety, and the Iowa  
29 law enforcement academy, office of the state public defender,  
30 board of parole, and Iowa state civil rights commission.

31 The bill makes appropriations from the department of  
32 commerce revolving fund established in Code section 546.12 to  
33 the office of consumer advocate of the department of justice.  
34 The office of consumer advocate is currently funded through an  
35 appropriation from the general fund of the state.

1 The bill removes the limitation of moneys the department of  
2 corrections may use from the canteen funds established in Code  
3 section 904.310 for correctional education programs.

4 The bill amends Code section 80B.11B to authorize the Iowa  
5 law enforcement academy to charge more than one-half of the  
6 cost of providing the basic training course, if a majority of  
7 the Iowa law enforcement academy council authorizes charging  
8 more than one-half the cost of providing such training.

9 Code sections 99D.14 and 99F.10 are amended to provide that  
10 the portion of the regulatory fees collected for the regulatory  
11 activities of special agents and gambling enforcement officers  
12 of the department of public safety, division of criminal  
13 investigation and associated costs, are appropriated to the  
14 department of public safety to be used for such activities  
15 instead of being credited to the general fund.

16 The bill amends Code section 904A.4B to provide that the  
17 chairperson may act as executive director of the board of  
18 parole, if the board does not appoint such a director. The  
19 duties of the executive director are specified in Code section  
20 904A.4B.